

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

MARIJAN CVJETICANIN

Criminal Action No. 14-274 (MAS)

ORDER


THIS MATTER having come before the Court for oral argument on the pending pre-trial motions, and the Court having considered the arguments set forth by the parties, for the reasons set forth on the record, and for other good cause shown,

IT IS on this 18th day of June 2015, **ORDERED** that:

1. Defendant's pre-trial motions (ECF No. 43) are DENIED, as set forth below.
 - a. Defendant's motion requesting disclosure of alleged statements made by Defendant referenced in the Indictment is dismissed as MOOT.
 - b. Defendant's motion to dismiss the Indictment is DENIED.
 - c. Defendant's motion to strike certain sections of the Indictment as prejudicial surplusage is DENIED.
 - d. Defendant's motion to prohibit the Government from arguing that the corporate victims suffered losses other than the losses specifically mentioned in Counts 1 through 12 of the Indictment is DENIED.
 - e. Defendant's motion to reserve the right to object to the authenticity of exhibits is DENIED without prejudice as premature.
 - f. Defendant's motion to reserve the right to object to the chain of possession of exhibits is DENIED without prejudice as premature.
 - g. Defendant's motion to compel the Government's compliance with Federal Rule of Criminal Procedure 12.4 is dismissed as MOOT.
 - h. Defendant's motion objecting to the admissibility, authenticity, and audibility of all audio and video recordings is DENIED without prejudice as premature.

- i. Defendant's motion to compel the Government to preserve all rough notes, report drafts, and final reports prepared by any government agent or witness in connection with the investigation which culminated in the Indictment against Defendant is dismissed as MOOT.
 - j. Defendant's motion to require the Government to disclose to defense counsel all discovery pursuant to Rule 3500 of the Federal Rules of Evidence ten days prior to the time that the Government expects the witnesses to testify is dismissed as MOOT.
 - k. Defendant's motion to compel the Government to provide Defendant with final transcripts and all documentary evidence it intends to use at trial is dismissed as MOOT.
 - l. Defendant's motion requesting a pre-trial hearing to determine the admissibility of all evidence of prior crimes, wrongs, or other acts is DENIED in conjunction with the Government's motion to admit certain IRS Form W-9s and testimony regarding Defendant's termination from Wildes & Weinberg.
 - m. Defendant's motion to reserve the right to object to evidence for prejudice, confusion, waste of time, or other reasons is DENIED without prejudice as premature.
 - n. Defendant's motion to change venue is DENIED.
 - o. Defendant's motion for the jury to be given a curative jury instruction is DENIED without prejudice as premature.
 - p. Defendant's motion for leave to file additional motions as they become appropriate is DENIED without prejudice as premature.
2. The Government's pre-trial motions (ECF No. 52) are GRANTED in part, and DENIED in part, as set forth below.
- a. The Government's motion to introduce documentary evidence of two IRS Forms and elicit testimony regarding Defendant's termination from Wildes & Weinberg is GRANTED.
 - b. The Government's motion to use evidence and visual aids in its opening statements is dismissed as MOOT.
 - c. The Government's motion requesting its case agent be exempt from the Rule on Witnesses is dismissed as MOOT.

- d. The Government's motion for reciprocal discovery is GRANTED.
- e. The Government's remaining motions are DENIED without prejudice as premature.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE